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John

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

FILE: B-202006

DATE: February 13, 1981

MATTER OF: Dayton Bag & Burlap Co.

DIGEST:

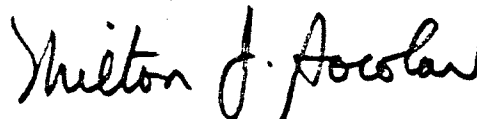
Protest of Tennessee Valley Authority procurement will not be considered since General Accounting Office is precluded by TVA Act from disallowing credit for expenditures which TVA Board determines necessary in carrying out TVA Act.

Dayton Bag and Burlap Co. objects to any award being made under solicitation No. B4-630980 on the grounds that the Tennessee Valley Authority (TVA) gave it misinformation about the allowable size tolerance for the burlap bags being purchased. The protester contends that when it requested tolerance information, TVA advised that it was 10 percent. The protester states that it later found that a 20 percent tolerance was acceptable, that previous bags had been accepted by TVA at that tolerance, and therefore, prices could have been quoted at a much lower cost. The protester argues that the solicitation should be canceled and a new one issued which contains accurate size information.

We do not consider protests involving TVA procurements. By statute, we are precluded from disallowing credit for any expenditure which the TVA Board determines necessary to carry out the TVA Act. 16 U.S.C. § 831h(b) (1976). Consequently, even if we disagree with the propriety of the TVA actions, we would be unable to effect any remedial action, and thus no useful purpose would be served by consideration of the protest. F. E. Moran, Inc., B-199069, July 1, 1980, 80-2 CPD 7.

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Accordingly, the protest is dismissed.

A handwritten signature in dark ink, reading "Milton J. Socolar". The signature is written in a cursive style with a large, stylized "M" and "S".

Milton J. Socolar
General Counsel